

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

SHAWN ROSS #418024,

NO. 2:22-cv-94

Plaintiff,

v

MAG. JUDGE MAARTEN VERMAAT

MATTHEW MILLER, BRETT
WATSON, NICHOLAS MONTIE, and
NELSON DUNCAN,

Defendants.

Shawn Ross #418024

In Pro Per

Chippewa Correctional Facility
4269 W. M-80
Kincheloe, MI 49784

Joseph Y. Ho (P77390)

Assistant Attorney General

Attorney for MDOC Defendants
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**MDOC DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON THE
BASIS OF EXHAUSTION**

MDOC Defendants Miller, Watson, Montie, and Duncan, by counsel, bring this motion under Fed. R. Civ. P. 56(a), and ask the Court to grant them summary judgment; dismiss the unexhausted retaliation claim against Miller; and dismiss Watson, Montie, and Duncan from this lawsuit, based on the grounds in the accompanying brief.

Following L.Civ.R. 7.1(d), the undersigned sought concurrence for this motion with a March 7, 2024, phone call; Ross did not concur.

Respectfully submitted,

/s/ Joseph Y. Ho

Joseph Y. Ho (P77390)
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Dated: March 7, 2024

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2024, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record and placed in U.S. Postal Service a copy of the above document to non-ECF participant:

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/s/ Joseph Y. Ho
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